

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference ELL-475WO	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/IB2004/003863	International filing date (day/month/year) 24/11/2004	(Earliest) Priority Date (day/month/year) 28/11/2003
Applicant RANBAXY LABORATORIES LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 5 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. **Basis of the report**

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☒ **Certain claims were found unsearchable** (See Box II).

3. ☐ **Unity of invention is lacking** (see Box III).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

PHARMACEUTICAL COMPOSITIONS COMEPRISING NATEGLINIDE AND A SURFACTANT

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. _____



as suggested by the applicant.



as selected by this Authority, because the applicant failed to suggest a figure.



as selected by this Authority, because this figure better characterizes the invention.

- b. ☐ none of the figures is to be published with the abstract.

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K9/20 A61K31/198 A61P3/10

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, PAJ, WPI Data, EMBASE, BIOSIS, CHEM ABS Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>EP 1 334 721 A (AJINOMOTO CO., INC) 13 August 2003 (2003-08-13)</p> <p>paragraph '0011! - paragraph '0024! claims 1,5,6,9,10,13 examples 1-4</p> <p>----- -/-</p>	<p>1,3-7, 9-15, 22-25, 27-29, 31, 33-40, 43-48</p>



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

* Special categories of cited documents:

- 'A' document defining the general state of the art which is not considered to be of particular relevance
- 'E' earlier document but published on or after the international filing date
- 'L' document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- 'O' document referring to an oral disclosure, use, exhibition or other means
- 'P' document published prior to the international filing date but later than the priority date claimed

'I' later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

'X' document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

'Y' document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

'A' document member of the same patent family

Date of the actual completion of the international search

26 April 2005

Date of mailing of the international search report

06/05/2005

Name and mailing address of the ISA

European Patent Office, P.O. Box 5818 Patentplan 2
NL - 2280 HV Rijswijk
Tel (+31-70) 340-2040, Tx. 31 651 epo nl
Fax (+31-70) 340-3016

Authorized officer

Schifferrer, H

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 1 334 720 A (AJINOMOTO CO., INC) 13 August 2003 (2003-08-13) claims 1,13-20 paragraph '0008! paragraph '0010! - paragraph '0033! -----	1,9-15, 22-25, 27,31, 33-40, 43-48
X	EP 0 128 249 A (SMITHKLINE BECKMAN CORPORATION) 19 December 1984 (1984-12-19) claims 1-4,8-11,16 paragraph '0027! - paragraphs '0056!, '0073! - '0077! -----	1,3-7, 9-15, 22-25, 27-29, 31, 33-40, 43-48
P,X	US 2004/002544 A1 (MAKINO CHISATO ET AL) 1 January 2004 (2004-01-01) paragraph '0010! paragraph '0041! - paragraph '0062! paragraph '0067! - paragraph '0075! -----	1,3-7, 9-15, 22-25, 27-29, 31, 33-40, 43-48
E	WO 2005/020979 A (RANBAXY LABORATORIES LIMITED; SINGH, ROMI, BARAT; SHILPA, ANU; NAGAPRA) 10 March 2005 (2005-03-10) paragraph '0009! - paragraph '0040! claims 1-32 -----	1,3-7, 9-19, 22-25, 27-29, 31, 33-40, 43-48

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 48 (in part)
because they relate to subject matter not required to be searched by this Authority, namely:
Although claim 48 is directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a)

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
EP 1334721	A	13-08-2003	AU 9600001 A	27-05-2002
			BR 0114897 A	12-08-2003
			CA 2426764 A1	23-04-2003
			EP 1334721 A1	13-08-2003
			US 2004029968 A1	12-02-2004
			CN 1482904 A	17-03-2004
			WO 0240010 A1	23-05-2002
EP 1334720	A	13-08-2003	AU 9599901 A	06-05-2002
			BR 0114896 A	12-08-2003
			CA 2426263 A1	23-04-2003
			EP 1334720 A1	13-08-2003
			US 2004014815 A1	22-01-2004
			CN 1482903 A	17-03-2004
			WO 0234254 A1	02-05-2002
EP 0128249	A	19-12-1984	US 4427582 A	24-01-1984
			AT 36166 T	15-08-1988
			AU 562703 B2	18-06-1987
			AU 1446283 A	15-12-1983
			DE 3377578 D1	08-09-1988
			DK 261283 A	09-12-1983
			EP 0128249 A2	19-12-1984
			ES 8504692 A1	16-07-1985
			GR 77483 A1	24-09-1984
			IE 55428 B1	12-09-1990
			JP 59005150 A	12-01-1984
			PT 76786 A , B	01-06-1983
			ZA 8303350 A	25-04-1984
US 2004002544	A1	01-01-2004	NONE	
WO 2005020979	A	10-03-2005	WO 2005020979 A1	10-03-2005